

COMMISSIONERS APPROVAL

GRANDSTAFF *cg*

ROKOSCH *Absent*

THOMPSON *ge*

CHILCOTT *at*

DRISCOLL *vd*

PLETTENBERG (Clerk & Recorder)

Date.....January 30, 2008

Members Present.....Commissioner Carlotta Grandstaff,
Commissioner Alan Thompson, Commissioner Greg Chilcott and Commissioner
Kathleen Driscoll

Minutes: Glenda Wiles

► The Board met for administrative matters as follows:

- **Commissioner Thompson made a motion to approve the minutes of November 29, 2007; December 18, 2007; January 8, 2008; and January 15, 2008. Commissioner Chilcott seconded the motion and all voted "aye".**
- **Commissioner Chilcott made a motion to approve the contract with Department of Environmental Quality for the outreach and education for radon. Commissioner Thompson seconded the motion and all voted "aye".**
- **Commissioner Chilcott made a motion to approve and sign the Financial and Operating plan with the Forest Service. Commissioner Driscoll seconded the motion and all voted "aye".**

► Civil Counsel Alex Beal met with the Commissioners to discuss litigation in regard to the Powell lawsuit. Under Montana Statute the door was closed for litigation strategy.

Minutes: Beth Perkins

► The Board met with Victor Park District and Victor Improvement Project Committee in order to discuss and decide on the Victor Main Street Railings. Present at this meeting were Administrative Director Skip Rosenthal and Anita Drewien of Victor Park District and Victor Improvement Project Committee.

Anita stated she is here to request Victor Park District be kept in the loop regarding the railings. Skip stated the railings are going to be metal and have been approved due to the

trip hazard. Anita asked if the railings were going to match the Farmers State Bank railings. Skip replied no. The railings are not decorative, they are plain.

Anita questioned the renovations to the awning of the Hamilton House. Skip stated the owner had permission from the county to extend the awning another foot due to the trip hazard. People are still complaining of the trip hazards on the lip of the curb. Anita stated people cannot identify the drop from the curb. Skip replied the curb is part of MDOT and is not the county's responsibility. The reasoning behind the railings is the county's insurance company's recommendation for the trip hazard. All the buildings are at different elevations.

Anita expressed her concern for the railings to match the benches. Commissioner Chilcott stated the railings are at the County's expense. They are plain black metal. Anita asked what kind of paint will be on the railings. Skip replied it is a flat paint. Anita asked if it could be a satin finish and if there is a cost difference. She stated her concern with the benches being just a foot away from the railings. Skip replied he will ask the contractor. Commissioner Chilcott stated the county was facing significant liability with the trip hazard and therefore approved the railings and the extension of the awning. Anita stated the MDOT project is focused on matching Main Street. She would like to see everything match, at least the paint.

Commissioner Driscoll asked how the Victor Improvement Project Committee and the Victor Park District coexist. Anita replied the Victor Improvement Project Committee is on hold due to the 503C3 number of the Victor Civic Club. They are responsible for Victor Main Street maintenance. The look of Main Street is her concern.

Commissioner Chilcott asked Anita to restate her request to the Board. Anita replied she would like to see the railings match the benches and garbage cans. Commissioner Chilcott asked if Anita would be willing to pay the difference for the paint. Anita replied she would like to get the cost from Skip and then bring it back to the Victor Park District for a vote. Commissioner Chilcott stated the Board will have Skip contact Anita with the costs.

► The Board met for final approval for Johnson Controls contract. Present were George Tocquigny, Mike McCourt and Jon Miller from JCI, Civil Counsel Alex Beal, Internal Auditor Klarryse Murphy, and Administrative Director Skip Rosenthal.

Commissioner Grandstaff called the meeting to order and requested legal opinion.

Alex stated he had some concerns with the contract in terms of insurance coverage for the county and workers compensation but has worked through those concerns with their legal representative. Alex noted Section 9; which addresses 'no asbestos' but there is some in the museum. George replied they have it today and will add it to the contract as slot A. Commissioner Thompson asked if they have an idea on which building they will start first. Jon replied they will start with the chillers first. They will put together a detailed schedule with completion dates.

Commissioner Grandstaff asked when they will start. Mike replied the installation project manager Kevin Hoff is anxious to start. George replied they will oversee the project and be actively participating.

Commissioner Chilcott questioned the net impact to the budget. He discussed the capital cost avoidance. What is going to be the net impact to our annual budget? Klarryse replied \$180,000 per year for debt. \$80,000 is hard cost and \$100,000 is capital cost. Klarryse explained it would be dedicated and towards capital improvement. She provided Commissioner Chilcott with numbers based on her statement.

Commissioner Thompson made a motion to approve the energy performance contract presented by Johnson Controls. Commissioner Chilcott seconded the motion, all voted 'aye'.

George stated they will send a signed contract for recording and a drafted press release to the Board for approval.

► The Board met to award the RFP for financing of the Energy Performance Contract. Present was Internal Auditor Klarryse Murphy and Civil Counsel Alex Beal.

Klarryse presented a comparison of the RFPs received to the Board. She stated the RFP requested both 15 and 20 year options. Alex stated he reviewed the legal requirements for the packages presented. The rates have been cut again by .5%. Alex stated there is plenty of time for selection.

Commissioner Chilcott asked if there would be an option for the lower rates. Klarryse stated she will talk to the two larger firms and see what she can do. Commissioner Grandstaff asked for the Board's consensus on tabling a decision until Klarryse can investigate the rates. Commissioner Thompson expressed his concern with the legality of going back to question the dropping of the rate. Will it constitute a new RFP? Commissioner Chilcott replied he does not think so. He thinks it would be beneficial to investigate the possibility of a drop. Commissioner Driscoll stated she agrees with Commissioner Thompson and should check with legal counsel. Board discussion followed regarding the rate drop and changing the interest rate.

Commissioner Driscoll made a motion to continue the decision until Friday February 1st at 11:00 a.m. Commissioner Chilcott seconded the motion, all voted 'aye'.